

MAY 05 2005

PTO/SB/97 (09-04)

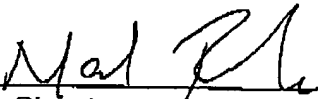
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

QIONG CHENG ET. AL.

CASE NO.: CL2360USNA

SERIAL NO.: 10/808979

GROUP ART UNIT: 1638

FILED: MARCH 25, 2004

EXAMINER: KOROMA, B

FOR: GENES ENCODING CAROTENOID COMPOUNDS

RESPONSE TO A NOTICE TO CORRECT SEQUENCE LISTING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REMARKS

This is submitted in response to the Office Action mailed 01/31/2005. The notice is attached here for reference. The Notice indicates that SEQ ID NO. 178 is not part of the sequence listing and further that exhibit I, attached to the election of November 2004, is unclear as to which sequence corresponds to either SEQ ID NO 172 or SEQ ID NO 178.

Applicants are of the opinion that an error may have occurred in matching papers at the Office. The present application contains only 20 sequences. Thus, there is no SEQ ID NO. 178 or 172. A search of the application has been made for a reference to sequence 178 and/or 172 and none has been found. Additionally, no exhibit was attached to the election of November of 2004, and none was referenced in the text of the election. Clarification is requested.

Although this response is filed outside the one month shortened statutory period for response, as the subject matter of the Notice appears to be as the result of an error on the part of the Office, applicants submit that no petition for extension of time is necessary. If however the Office deems an extension is needed and thus should there be any fee due in connection with the filing of this Response please charge such fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Application No.: 10/808979
Docket No.: CL2360USNA

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Respectfully submitted,



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Dated: May 5, 2005